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EXAMINER

JOHN, CLARENCE

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/598,595	<b>Applicant(s)</b> MINODIER ET AL.	
	<b>Examiner</b> CLARENCE JOHN	<b>Art Unit</b> 2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of Claims***

This action is responsive to communication filed on June 15, 2011. Claims 1-13, 15-16 are pending.

### ***Response to Remarks / Arguments***

1. Applicant's arguments filed on June 15, 2011 have been fully considered but they are not persuasive and do not place the Application in condition for allowance.
2. With respect to Claim 1, the Applicant argues that Grobman does not teach a subscription system or subscription of the client.
3. **In reply**, the Examiner states that Grobman was never relied upon teaching a subscription system. Kelly teaches this limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. (Page 3 – paragraph [0041], [0044], Page 5 – paragraph [0057]. Here, the system 100 which supports High Speed Broadcast Service, HSBS is a subscription system where users can subscribe to view broadcast /multicast service such as streaming of movies, sports events etc.

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4. With respect to Claim 1, the applicant also argues that Grobman does not teach transmitting to the client an authentication for accessing the virtual network.
5. **In reply**, the Examiner states that Grobman was never relied upon teaching the above limitation. Also, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies i.e., "transmitting to the client an authentication for accessing the virtual network", is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).
6. Although the feature of "transmitting to the client an authentication for accessing the virtual network" is not being claimed, it is noted that Weinstein teaches accessing services of at least one service provider via the at least one virtual network (Weinstein - Page 3 – paragraph [0031], Figure 8A, Figure 8B, Page 4 – paragraph [0042] lines 1-7). Here, the services are accessed from a service provider via the virtual network and transmitting information to the client is not claimed.
7. The Applicant also argues that Grobman or Kelley does not teach transmitting to the client information which makes it possible to make the software of the client compatible with the access control protocol.

8. **In reply** the Examiner states that Weinstein teaches about the client accessing services of at least one service provider when software and predetermined access control protocol are compatible. (Page 3 – paragraph [0030], Figure 7, paragraph [0031], Figure 8A, Figure 8B, paragraph [0035]; Page 4 – paragraph [0042] lines 1-7). Grobman teaches a system for authenticating an outside client to access the services of a system where the client is authenticated to access services when software and predetermined access control protocol are **not compatible**. (Page 1, paragraph [0013], Page 2 – paragraph [0019]. Here the application operates to convert or transcode between authentication systems in order to allow a new incompatible protocol and forward the credentials in order to be authenticated. The application may alter or change the credentials before forwarding them according to the new incompatible protocol which makes it possible to make the software of the client compatible with the access control protocol.
9. With respect to Claim 1, the Applicant argues that Kelley does not teach an address server and at least one subscription system for allowing said client to subscribe to said at least one service provider, said address server transmits to the client an address for accessing said at least one subscription system.

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10. **In reply**, the Examiner states that Kelley does teach the above limitation. Kelley teaches transferring information to the client an authentication for accessing the services of at least one service provider to which the client has subscribed. (Page 3 – paragraph [0043] lines 1-3, Page 4 – paragraph [0052] lines 26-31, Page 5 – paragraph [0057] lines 1-29, paragraph [0059] lines 8-16. Here, once the users registers for the subscription services, the content server which is the address server sends a broadcast access key (BAK) to the client so that the user is authenticated to use the services of the service provider. In the subscription process, the content server sends the User Identification Module UIM 208, the value of a common broadcast subscription key such as a Broadcast Access Key (BAK). The content server sends the communication device 200, and specifically the UIM 208, the value of BAK is encrypted which is to the UIM 208. This UIM 208 includes web page or URL address information).

11. Examiner notes that no new matter has been added and that the claims are rejected based on the same references as cited by the previous office action.

12. Applicant has failed to clearly point out patentable novelty in view of the state of the art disclosed by the references cited that would overcome the 103(a) rejections applied against the claims, the rejection is therefore sustained.

***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1, 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein et al (US 2002/0191572) in view of Kelley et al. (US 2005/0129231) in further view of Grobman (US 2004/0093519).

14. With respect to Claim 1, Weinstein teaches a method of authenticating a telecommunication terminal called a client for access to at least one virtual network, (Figure 9, Page 3, paragraph [0021] lines 1-18, Page 6, paragraph [0069] lines 1-9); said client comprising software (Page 2 – paragraph [0020] lines 1-7); and when said software and predetermined access control protocol for access to said at least one virtual network are compatible (Page 3 – paragraph [0030], Figure 7, paragraph [0035]); said client being able to access services of at least one service provider via the at least one virtual network the **or** each virtual network being set up on a telecommunications network (Page 3 – paragraph [0031], Figure 8A, Figure 8B, Page 4 – paragraph [0042] lines 1-7); wherein an authentication network is set up on said telecommunication network, (Page 2 – paragraph [0017]); said authentication network being different from the at least one virtual network (Page 4 – paragraph [0042] lines 16-21).

15. Weinstein teaches the limitations of Claim 1 as stated above. However, Weinstein does not explicitly state wherein said authentication network comprises an address server and at least one subscription system for allowing said client to subscribe to said at least one service provider, said address server transmits to the client an address for accessing said at least one subscription system; upon reception of said address, the client accesses said at least one subscription system and subscribes to said at least one service provider; upon detection of the subscription of the client, said at least one subscription system and subscribes to said at least one service provider ; upon detection of the subscription of the client said at least one subscription system transfers to the client.
16. Conversely, Kelley teaches the above limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. Kelley also teaches a network comprising an address server (Page 1 – paragraph [0014], Figure 6 – Content Server, Page 3 – paragraph [0045] lines 1-4); and at least one subscription system (Page 1 – paragraph [0023], paragraph [0026], [paragraph [0027], Page 10 – paragraph [0104], Figure 15 and Figure 18); for allowing said client to subscribe to said at least one service provider (Page 2 – paragraph [0038] lines 11-20, Page 5 – paragraph [0057] lines 1-18); upon reception of said address the client accesses said at least one subscription system and subscribes to said at least one service provider (Page 2 – paragraph



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[0033], Page 4 – paragraph [0050] lines 21-24, Page 5 – paragraph [0057] lines 1-18); upon detection of the subscription of the client said at least one subscription system and subscribes to said at least one service provider ; (Page 3 – paragraph [0043] lines 1-3, Page 5 – paragraph [0057] lines 1-18, paragraph [0059] lines 8-16. Here, once the users registers for the subscription services, the user is authenticated to use the services of the service provider).

17. Weinstein and Kelley have common grounds of client server communication in accessing and exchanging data resources. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Kelley with Weinstein by implementing a subscription system where clients can be authenticated to access services from a service provider by means of an encryption key in order to maintain security and unique identification.

18. Weinstein and Kelley teach the limitations of Claim 1 as stated above. Kelley also teaches detection of the subscription of the client, said at least one subscription system transfers to the client. (Page 5 – paragraph [0057] lines 18-29).

19. However, Weinstein and Kelley do not explicitly state about when software and predetermined access control protocol are not compatible, the method comprises the following elements: an authentication for accessing services to which the client has subscribed; and information which makes it possible to make

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the software of the client compatible with the predetermined access control protocol.

20. Conversely, Grobman teaches the above limitations. Grobman teaches a system for authenticating a outside client to access the services of a system. Grobman also teaches authenticating a client to access services when software and predetermined access control protocol are not compatible. (Page 1, paragraph [0013], Page 2 – paragraph [0019]. Here the application operates to convert or transcode between authentication systems in order to allow a new incompatible protocol and forward he credentials in order to be authenticated. The application may alter or change the credentials before forwarding them according to the new incompatible protocol, which makes it possible to make the software of the client compatible with the access control protocol).

21. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Grobman with Weinstein by implementing a system where the client with incompatible protocol is authenticated internally after verifying security credentials even before accessing the external system.

22. With respect to Claim 2, Weinstein, Kelley and Grobman teach a method according to Claim 1 wherein the authentication network is a virtual network or a network that is separate from the telecommunication network. (Weinstein's teachings on Page 5, paragraph [0055] and [0056]. Figure 3A. Here the virtual operator network is different from mobile network).
23. With respect to Claim 11, Weinstein teaches a system for authenticating a telecommunication terminal called client for access to at least one virtual network, (Figure 9, Page 3, paragraph [0021] lines 1-18, Page 6, paragraph [0069] lines 1-9); said client comprising software (Page 2 – paragraph [0020] lines 1-7); and when said software and predetermined access control protocol for access to said at least one virtual network are compatible (Page 3 – paragraph [0030], Figure 7, paragraph [0035]); said client being able to access services of at least one service provider via the at least one virtual network (Page 3 – paragraph [0031], Figure 8A, Figure 8B, Page 4 – paragraph [0042] lines 1-7). the **or** each virtual network being set up on a telecommunication network (Page 2 – paragraph [0017]), the system comprising: an authentication network set up on a said telecommunication network; (Page 2 – paragraph [0017]); said authentication network being different from the at least one virtual network (Page 4 – paragraph [0042] lines 16-21).
24. Weinstein teaches the limitations of Claim 11 as stated above. However, Weinstein does not explicitly state about one network comprising an address

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server and at least one subscription system which is configured to allow said client to subscribe to said at least one service provider, wherein the authentication network and client are configured such that said address server is arranged to transmit to the client an address for accessing said at least one subscription system; the client is arranged to receive said address accesses said at least one subscription system and subscribes to said at least one service provider; and subscription system is arranged to detect the subscription of the client and transfer to said client.

25. Conversely, Kelley teaches the above limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. Kelley also teaches a network comprising an address server (Page 1 – paragraph [0014], Figure 6 – Content Server, Page 3 – paragraph [0045] lines 1-4); and at least one subscription system (Page 1 – paragraph [0023], paragraph [0026], [paragraph [0027], Page 10 – paragraph [0104], Figure 15 and Figure 18); configured to allow said client to subscribe to said at least one service provider (Page 2 – paragraph [0038] lines 11-20, Page 5 – paragraph [0057] lines 1-18); the client is arranged to receive said address accesses said at least one subscription system and subscribes to said at least one service provider; (Page 2 – paragraph [0033], Page 4 – paragraph [0050] lines 21-24, Page 5 – paragraph [0057] lines 1-18); upon detection of the subscription of the client said at least one subscription system and subscribes to said at least one service

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provider ; (Page 3 – paragraph [0043] lines 1-3, Page 5 – paragraph [0057] lines 1-18, paragraph [0059] lines 8-16. Here, once the users registers for the subscription services, the user is authenticated to use the services of the service provider).

26. Weinstein and Kelley have common grounds of client server communication in accessing and exchanging data resources. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Kelley with Weinstein by implementing a subscription system where clients can be authenticated to access services from a service provider by means of an encryption key in order to maintain security and unique identification.

27. Weinstein and Kelley teach the limitations of Claim 11 as stated above. Kelley also teaches detection of the subscription of the client, said at least one subscription system transfers to the client. (Page 5 – paragraph [0057] lines 18-29). However, Weinstein and Kelley do not explicitly state about when software and predetermined access control protocol are not compatible, the method comprises an authentication for accessing services to which the client has subscribed; and information which makes it possible to make the software of the client compatible with the predetermined access control protocol.

28. Conversely, Grobman teaches the above limitations. Grobman teaches a system for authenticating a outside client to access the services of a system. Grobman also teaches authenticating a client to access services when software and predetermined access control protocol are not compatible. (Page 1, paragraph [0013], Page 2 – paragraph [0019]. Here the application operates to convert or transcode between authentication systems in order to allow a new incompatible protocol and forward he credentials in order to be authenticated. The application may alter or change the credentials before forwarding them according to the new incompatible protocol, which makes it possible to make the software of the client compatible with the access control protocol).

29. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Grobman with Weinstein by implementing a system where the client with incompatible protocol is authenticated internally after verifying security credentials even before accessing the external system.

30. Claims 3-9, 12, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein, Kelley and Grobman in further view of Prasad et al. (US 7,197,125).

31. With respect to Claim 3, Weinstein, Kelley and Grobman teach the limitations of Claim 1 as described above. However, Weinstein, Kelley and Grobman do not explicitly state wherein the subscription system includes of at least one subscription portal, (Figure 1, block 104) an authentication material server (Figure 1, block 106) and, where-in response to the client subscribing subscribes to a service, (Figure 2A, block 2-009); the subscription portal transfers to an authentication server data associated with the authentication transferred to the client. (Figure 2A - blocks 2-001 to 2-004 and Figure 2B - block 2-015).
32. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches in the subscription system which includes of at least one subscription portal, (Figure 1, block 104) an authentication material server (Figure 1, block 106) and, where-in response to the client subscribing subscribes to a service, (Figure 2A, block 2-009); the subscription portal transfers to an authentication server data associated with the authentication transferred to the client. (Figure 2A - blocks 2-001 to 2-004 and Figure 2B - block 2-015).
33. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access

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protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

34. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Kelley and Grobman by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

35. With respect to Claim 4, Weinstein, Kelley, Grobman and Prasad teach the limitations of Claim 3 as described above. However, Weinstein, Kelley and Grobman do not explicitly state wherein the client is connected to the network via a Digital Subscriber Line Access Multiplexor performing the steps of obtaining an identifier and a client authentication confirmation from the authentication server.

36. Conversely Prasad does in fact teach such a limitation. Prasad teaches wherein the client is connected to the network via a Digital Subscriber Line Access Multiplexor (Column 18, lines 24-29, Figure 7- block 718) and, if the client is compatible with the predetermined access control protocol the Digital Subscriber Line Access Multiplexor performs-the steps of obtaining an identifier and a client authentication material (Column 17, lines 5-11, Column 8, lines 49-55. Figure 2A block 2006. Here the command selections to the processor include the steps of obtaining a username and authentication quality) and of obtaining a client



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authentication confirmation from the authentication server (Column 8, lines 11-17 and Figure 2A, blocks 2-003 and 2-004).

37. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.
38. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Kelley and Grobman by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.
39. With respect to Claim 5, Weinstein, Kelley, Grobman and Prasad teach the limitations of Claim 4 as described above. However, Weinstein, Grobman and Prasad do not explicitly state if the authentication server does not confirm the authentication of the client, the method comprises a step of authorizing data transfer between the client and at least one subscription system which allows the client to access the services of the or each service provider.
40. Conversely, Kelley teaches the above limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. Kelley also teaches authorizing data transfer between the client and at least one

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subscription system (Page 1 – paragraph [0023], paragraph [0026], [paragraph [0027], Page 10 – paragraph [0104], Figure 15 and Figure 18); which allows the client to access the services of the or each service provider (Page 2 – paragraph [0033], Page 4 – paragraph [0050] lines 21-24, Page 5 – paragraph [0057] lines 1-18).

41. Weinstein, Kelley and Grobman have common grounds of client server communication in accessing and exchanging data resources. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Kelley with Weinstein, Grobman and Prasad by implementing a subscription system where clients can be authenticated to access services from a service provider by means of an encryption key in order to maintain security and unique identification.

42. With respect to Claim 6, Weinstein, Kelley and Grobman teach the limitations of Claim 3 as described above. However, Weinstein, Kelley and Grobman do not explicitly state a method according to Claim 3, wherein there is a transfer to the authentication server of information associated with the service provider to which the client is subscribed and/or information characterizing the service to which the client is subscribed.

43. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing

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users to access resources via a communication network. Prasad also teaches about a transfer to the authentication server of information associated with the service provider to which the client is subscribed and/or information characterizing the service to which the client is subscribed. (Prasad - Column 10, lines 4 – 29, Fig 2B - blocks 2-014 through 2-017. This shows the information to which the client is subscribed).

44. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

45. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Kelley and Grobman by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

46. With respect to Claim 7, Weinstein, Kelley, Grobman, and Prasad teach the limitations of Claim 6 as described above. However, Weinstein, Kelley and Grobman do not explicitly state wherein the authentication server additionally transfers to the Digital Subscriber Line Access Multiplexer the information, associated with the service provider to which the client is a client and/or the information relating to the service or services to which the client is subscribed.

47. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches about an authentication server additionally transfers to the Digital Subscriber Line Access Multiplexer the information, associated with the service provider to which the client is a client and/or the information relating to the service or services to which the client is subscribed. (Prasad's teachings on Figure 2A blocks 2-006 through 2-011 and Figure 2B blocks 2-012 through 2-017 and Figure 4A blocks 4-007 through 4-009. Here the authentication server transfers all information to the service provider to which the client is subscribed).
48. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.
49. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Kelley and Grobman by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

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50. With respect to Claim 8, Weinstein, Kelley, Grobman and Prasad teach the limitations of Claim 7 as described above. However, Weinstein, Kelley and Grobman do not explicitly state about the Digital Subscriber Line Access Multiplexer authorizes data transfer between the virtual network which allows the client to access the services of the service provider.

51. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches the Digital Subscriber Line Access Multiplexer authorizes data transfer between the virtual network which allows the client to access the services of the service provider. (Prasad's teachings on Figure 4A, blocks 4-004 and 4-011. Here the client's data is transferred to the service provider for the client to access the services to which the client is subscribed according to the communication speeds to which the client is subscribed).

52. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

53. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Kelley and Grobman by implementing an improved service selection and

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management system which provides authentication functions to users regardless of any service they subscribe to.

54. With respect to Claim 9, Weinstein, Kelley and Grobman teach the limitations of Claim 1 as described above. However, Weinstein, Kelley and Grobman do not explicitly state wherein an address server is also associated with the virtual authentication network.

55. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches wherein an address server is also associated with the virtual authentication network. (Column 19, lines 60-61, Column 20,, lines 31-34); and the address server allocates an address to the client for data transfer on the virtual authentication network. (Column 7, lines 16-18).

56. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

57. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Kelley and Grobman by implementing an improved service selection and

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management system which provides authentication functions to users regardless of any service they subscribe to.

58. With respect to Claim 12, Weinstein teaches a method of authenticating a telecommunication terminal called client for access to at least one virtual network, (Figure 9, Page 3, paragraph [0021] lines 1-18, Page 6, paragraph [0069] lines 1-9); the **or** each virtual network being set up on a telecommunication network; wherein an authentication network is set up on said telecommunication network, (Page 2 – paragraph [0017]); said authentication network being different from the or each virtual network (Page 4 – paragraph [0042] lines 16-21); said client comprising software (Page 2 – paragraph [0020] lines 1-7); and when said software and predetermined access control protocol for access to said at least one virtual network are compatible (Page 3 – paragraph [0030], Figure 7, paragraph [0035]); said client being able to access services of at least one service provider via the at least one virtual network (Page 3 – paragraph [0031], Figure 8A, Figure 8B, Page 4 – paragraph [0042] lines 1-7); wherein an authentication network is set up on said telecommunication network, (Page 2 – paragraph [0017]); said authentication network being different from the at least one virtual network (Page 4 – paragraph [0042] lines 16-21).

59. Weinstein teaches the limitations of Claim 12 as stated above. However, Weinstein does not explicitly state wherein said authentication network

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comprises an address server and at least one subscription system for allowing said client to subscribe to said at least one service provider, said address server transmits to the client an address for accessing said at least one subscription system; upon reception of said address, the client accesses said at least one subscription system and subscribes to said at least one service provider; upon detection of the subscription of the client, said at least one subscription system and subscribes to said at least one service provider ; upon detection of the subscription of the client said at least one subscription system transfers to the client.

60. Conversely, Kelley teaches the above limitation. Kelley teaches a method and apparatus for broadcast services, transmission and reception for a client in a subscription system and authenticating the client to access the services. Kelley also teaches a network comprising an address server (Page 1 – paragraph [0014], Figure 6 – Content Server, Page 3 – paragraph [0045] lines 1-4); and at least one subscription system (Page 1 – paragraph [0023], paragraph [0026], [paragraph [0027], Page 10 – paragraph [0104], Figure 15 and Figure 18); for allowing said client to subscribe to said at least one service provider (Page 2 – paragraph [0038] lines 11-20, Page 5 – paragraph [0057] lines 1-18); upon reception of said address the client accesses said at least one subscription system and subscribes to said at least one service provider (Page 2 – paragraph [0033], Page 4 – paragraph [0050] lines 21-24, Page 5 – paragraph [0057] lines 1-18); upon detection of the subscription of the client said at least one



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subscription system and subscribes to said at least one service provider ; (Page 3 – paragraph [0043] lines 1-3, Page 5 – paragraph [0057] lines 1-18, paragraph [0059] lines 8-16. Here, once the users registers for the subscription services, the user is authenticated to use the services of the service provider).

61. Weinstein and Kelley have common grounds of client server communication in accessing and exchanging data resources. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Kelley with Weinstein by implementing a subscription system where clients can be authenticated to access services from a service provider by means of an encryption key in order to maintain security and unique identification.

62. Weinstein and Kelley teach the limitations of Claim 12 as stated above. Kelley also teaches detection of the subscription of the client, said at least one subscription system transfers to the client. (Page 5 – paragraph [0057] lines 18-29).

63. However, Weinstein and Kelley do not explicitly state about when software and predetermined access control protocol are not compatible, the method comprises the following elements: an authentication for accessing services to which the client has subscribed; and information which makes it possible to make

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the software of the client compatible with the predetermined access control protocol.

64. Conversely, Grobman teaches the above limitations. Grobman teaches a system for authenticating a outside client to access the services of a system. Grobman also teaches authenticating a client to access services when software and predetermined access control protocol are not compatible. (Page 1, paragraph [0013], Page 2 – paragraph [0019]. Here the application operates to convert or transcode between authentication systems in order to allow a new incompatible protocol and forward the credentials in order to be authenticated. The application may alter or change the credentials before forwarding them according to the new incompatible protocol, which makes it possible to make the software of the client compatible with the access control protocol).

65. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols and software compatibility. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Grobman with Weinstein by implementing a system where the client with incompatible protocol is authenticated internally after verifying security credentials even before accessing the external system.

66. With respect to Claim 15, Weinstein, Kelley and Grobman teach the limitations of Claim 1 as described above. However, Weinstein, Kelley and Grobman do not explicitly state wherein the method comprises authenticating the client to the services of plural service providers via plural virtual networks and comprises if the software of the client and predetermined access control protocol are not compatible, authorizing data transfer between the client and plural subscription systems for subscribing the client to plural service providers via the authentication network that allows the client to access the services of each service provider.

67. Conversely Prasad does in fact teach such a limitation. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches the method which authenticates the client to the services of plural service providers via plural virtual networks (Figure 2A blocks 2-001 through 2-004, Column 8, lines 1-23. Here the client is authenticated upon successful verification); wherein if the software of the client is not compatible with the predetermined access control protocol, authorizing data transfer between the client and plural subscription systems for subscribing the client to plural service providers via the authentication network which allows the client to access the services of each service provider. (Column 2, lines 35-54. Column 18, lines 36-42. Figure 5B. Figure 7 - ISP 726. Here, when the subscription of the client is

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modified, the client is not compatible with the network and data is transferred to the client by the authenticated network).

68. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

69. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Kelley and Grobman by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

70. With respect to Claim 16, Weinstein, Kelley and Grobman teach the limitations of Claim 11 as described above. However, Weinstein, Kelley and Grobman do not explicitly state the limitations as stated in Claim 16.

71. Conversely Prasad does in fact teach such limitations. Prasad teaches a method for modifying a subscription of a subscriber to a telecommunication service in a communication network with access protocols, authenticating and authorizing users to access resources via a communication network. Prasad also teaches wherein the system is arranged for accessing plural virtual networks for allowing the client to access plural service providers and each virtual network is set up on the telecommunication network, (Prasad - Figure 2A, blocks 2-008 through 2-011,

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Figure 2B, blocks 2-012 through 2-014); wherein: the subscription system is arranged to subscribe (Prasad - Figure 5B. Here the user credentials are verified in order to access subscription systems); plural service providers via the network, (Prasad - Figure 2A blocks 2-001 through 2-004, Column 8, lines 1-23. Here the client who has subscribed to access service providers are authenticated upon successful verification of their credentials) and is arranged to transfer to the client at least one authentication for accessing the plural service providers if the client subscribes to plural service providers. (Prasad - Column 5, lines 59-67, Column 6, lines 1-2. Figure 1, Block 114. Here the non compatible client is authenticated to use the services of the service provider).

72. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Prasad also teaches client server communication with access protocols and accessing and sharing resources.

73. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Prasad with Weinstein, Kelley and Grobman by implementing an improved service selection and management system which provides authentication functions to users regardless of any service they subscribe to.

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74. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weinstein, Kelley and Grobman in further view of Addington et al. (US 7,194,756).

75. With respect to Claim 10, Weinstein, Kelley and Grobman teach the limitations of Claim 1 as described above. However Weinstein, Kelley and Grobman do not explicitly state about teaching a method according to Claim 1, wherein the telecommunication network is a high-speed network based on Ethernet technology, and wherein the predetermined access control protocol is a protocol of the IEEE 802.1x type, and the clients are connected to the Digital Subscriber Line Access Multiplexer via connections of the DSL type.

76. Conversely, Addington teaches such a limitation where the telecommunication network which he uses is a high speed network based on Ethernet technology, (Column 55, lines 61-67) and the predetermined access control protocol is a protocol of the IEEE 802.11b (Column 56, lines 1-4 and Figure 22, block 1556).

77. Weinstein, Kelley and Grobman have common grounds of client server communication, accessing and exchanging data resources involving access protocols with software compatibility. Addington teaches digital communication network involving subscription services using IP Protocol. All references teach communication networks using IP Protocols.

78. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Addington

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with Weinstein, Kelley and Grobman in order to have high speed wireless data access from the network to the user's computer. (Addington's teachings on Column 55, lines 61-67 and Column 56, lines 1-4).

79. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prasad in view of Addington.

80. With respect to Claim 13, Prasad teaches a Digital Subscriber Line Access Multiplexor which allows at least one client to access the services of at least one service provider, (Prasad's teachings on Figure 4A, block 4-001 through 4-004); the client line multiplexor being arranged for relaying information transmitted by the at least one client and associated with authentication of the at least one client to an authentication server, (Prasad's teachings on Figure 2B, block 2-017, Figure 4A, blocks 4-004 and 4-005. Here the information of the client is relayed to the authentication server)

81. Prasad teaches the limitations of Claim 13 as described above. However Prasad does not explicitly state about the digital subscriber line access multiplexer including a software module according to the IEEE 802.1x standard.

82. Conversely, Addington teaches such a limitation in his telecommunication network which uses a high speed network based on Ethernet technology (Addington's teachings on Column 55, lines 61-67) and the client line multiplexor

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includes a software module (Column 30, lines 5-6) according to the protocol which is IEEE 802.11b.

83. Addington teaches digital communication network involving subscription services using IP Protocol. Prasad also teaches a telecommunications network involving subscription services using IP Protocol. Both references teach communication networks using IP Protocols. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Addington with Prasad in order to have enhanced services such as Personal Video Recording (PVR) from the service provider and configuring the service in the host. (Addington's teachings on Column 30, lines 5-10).

### ***Conclusion***

The above rejections are based upon the broadest reasonable interpretation of the claims. Applicant is advised that the specified citations of the relied upon prior art, in the above rejections, are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and /or priority documents) is implied as being applied to teach the scope of the claims.

Applicant may not introduce any new matter to the claims or to the specification. For any subsequent response that contains new/amended claims, Applicant is required to cite its corresponding support in the specification.



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**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLARENCE JOHN whose telephone number is (571)270-5937. The examiner can normally be reached on Mon - Fri 8:00 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CJ/  
Patent Examiner  
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